IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 33764 of 2007(T)

PETITIONER:

M.T.ABDUL AZEEZ, S/O.AHAMMED KOYA,
AGED 46 YEARS, C/O.DIOGRAMS, CIVIL ENGINEERING
CONSULTANTS, POOLAKKADAVU ROAD, P.O.MARIKUNNU,
KOZHIKODE, RESIDING AT MULLASSERY HOUSE,
P.O.MARIKUNNU, KOZHIKODE.

BY ADV. SRI.C.P.MOHAMMED NIAS
SMT.P.K.SHAKKEELA

RESPONDENT:

THE CORPORATION OF CALICUT, REP. BY
ITS SECRETARY, BEACH ROAD, KOZHIKODE.

BY ADV. SRI. P.V.KUNHIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE APPLICATION SHOWING THE SPECIFICATION AS WELL AS THE SITE PLAN OF THE PROPOSED HOUSE DTD. 14/10/2005.**

EXT.P2: **COPY OF THE ORDER NO.E10/105628/2005 DTD. 2/06/2007.**

EXT.P3: **COPY OF THE JUDGMENT IN WP(C) NO.27787 OF 2004 DTD. 1/02/2007.**

/TRUE COPY/

P.A.TO JUDGE

KSS

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.33764 OF 2007

Dated this the 26th day of November, 2007

JUDGMENT

In view of Ext.P3 judgment of this Court, Ext.P2 does not stand. Accordingly, Ext.P2 is quashed and the respondents are directed to take up Ext.P1 and decide thereon without reference to the grounds stated in Ext.P2. The writ petition is allowed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.